

## ARTICLE 36

### LIGHT MANUFACTURING DISTRICT

(Article inserted on February 1, 1989)

SECTION 36-1. **Statement of Purpose.** The purposes of this article are to encourage land development that promotes the public health and general welfare; to maintain a safe and healthy environment; to allow for clean, environmentally sensitive, and labor-intensive manufacturing uses; to preserve the economic viability of light manufacturing industries; to protect light manufacturing industries from displacement resulting from land speculation; and to promote light manufacturing development that is compatible with adjacent industrial, commercial, and residential land uses.

SECTION 36-2. **Applicability.** Within an LM district, no building or structure may be erected, reconstructed, extended, or altered, and no building, structure, or land may be used or occupied, except as provided in this article; provided that, subject to the provisions of Article 9, any building existing on the effective date of this article and not conforming to the provisions of Section 36-9 through 36-13 may be used for any lawful use and may be altered or enlarged, provided that any dimensional nonconformity is not increased and that any enlargement itself conforms to such dimensional regulations.

SECTION 36-3. **Conflict Provision.** This article and the remainder of this code together constitute the zoning regulations in an LM District. Where conflicts exist between a provision of this article and any other provision of this code, the provisions of this article shall govern, unless this article specifically indicates otherwise.

SECTION 36-4. **Allowed Uses.** Within an LM District, each use listed in this section shall be allowed, provided that any such use meets the performance standards contained in Section 36-8.

1. Light manufacturing uses: the design, development, manufacture, compounding, packaging, processing, fabrication, altering, assembly, repairing, servicing, renting, testing, handling, or transfer, in accordance with performance standards provided in Section 36-8, of products including the following:
  - a. Ceramic products, including pottery and glazed tile
  - b. Construction equipment and products
  - c. Gas, diesel, and electrical machinery, equipment, or supplies

- d. Electronic and communication products, including, but not limited to, computer equipment, sound equipment, and household appliances
  - e. Fish or other food products
  - f. Instruments for engineering, medical, dental, scientific, photographic, optical, or other similar professional use
  - g. Metal and wood products
  - h. Office equipment or machinery
  - i. Pharmaceutical products, cosmetics, or toiletries
  - j. Textile products including, but not limited to, products from the following: canvas, burlap, cotton, knit goods, rope, and twine
  - k. Photographic supplies, including processing solutions
  - l. Supplies related to printing or engraving
  - m. Any other product, the production of which meets the performance standards provided in Section 36-8, subject to the provisions of Section 36-7.
- 2. Scientific research and development uses: laboratories and facilities for theoretical, basic, and applied research, product development and testing, prototype fabrication, or production of experimental products prior to preclinical testing, in accordance with performance standards provided in Section 36-8.
  - 3. Printing, engraving, or related production processes
  - 4. Publishing or distribution of books, newspapers, or other printed material
  - 5. Machine shop
  - 6. Wholesale and distribution uses: facilities for display, transfer, consolidation, handling, inventory, or protection of manufactured products, components, preassembled parts, or other goods in accordance with Sections 36-8 through 36-13
  - 7. Factory outlet for the sale of goods lawfully produced or processed in an LM district, whether or not on same lot

8. Warehousing and storage as an adjunct to operating business uses, except as specifically forbidden in Section 36-7.6
9. Office use, subject to the provisions of Section 36-14
10. Wholesale or retail rental, service, repair, or outdoor storage of construction equipment, tools, supplies, or machinery
11. Art use
12. Artists' mixed-use space
13. Any of the following uses:
  - a. Trade school, teaching facility, or learning center reasonably related to a light manufacturing or scientific research and development use
  - b. Day care center
  - c. Fire or police station, subject to St. 1956, c. 665, S. 5
  - d. Place of worship
  - e. Barber, beauty, shoe repair, laundry, dry-cleaning or tailor shop, or similar service establishment of less than one thousand (1,000) square feet of gross floor area
  - f. Eating place, without live entertainment, of less than one thousand (1,000) square feet of gross floor area
  - g. Bank of less than one thousand (1,000) square feet of gross floor area
  - h. Shop of upholsterer, carpenter, electrician, or plumber
  - i. Public park or open space
  - j. Public service pumping station, substation, telephone exchange, or similar use
14. Ancillary and accessory uses, subject to the provisions of Section 36-5.
  - a. Clinic

- b. Eating place
- c. Library or museum
- d. Garage or parking lot for occupants, employees, customers, students, or visitors
- e. Recreational or health facility
- f. Keeping of laboratory animals incidental to a lawful use
- g. Storage of flammable liquids or gases incidental to a lawful use

**SECTION 36-5. Ancillary and Accessory Uses.** Within an LM District, the aggregate gross floor area of accessory and ancillary uses, exclusive of off-street parking, on a lot or lots shall not exceed forty percent (40%) of the gross floor area of the main buildings on the lot or lots on which the main use is located. In addition, no such accessory use shall occupy more than twenty-five percent (25%) of the rear yard required by this code or of the unbuilt lot area, nor shall any such accessory use occupy any part of a front or side yard required by this article.

**SECTION 36-6. Conditional Use.** Within an LM District, each use listed in this section is required to obtain a conditional use permit in accordance with the provisions of Article 6 of this code. In addition, such use is required to meet the performance standards contained in Section 36-8.

- 1. Parking lot or garage not accessory or ancillary to an allowed use
- 2. Repair garage, gasoline service station, or car wash
- 3. Eating place, without entertainment, of one thousand (1,000) or more square feet of gross floor area
- 4. Nonaccessory library or museum
- 5. Adult education or community center
- 6. Retail or grocery store primarily serving local retail business needs; provided that stores serving the general retail business needs of a major part of the city are forbidden and that auto dealerships and department stores are forbidden
- 7. Post office

8. Bank of one thousand (1,000) or more square feet of gross floor area; drive-in bank
9. Barber, beauty, shoe repair, laundry, drycleaning or tailor shop, or similar service establishment of one thousand (1,000) or more square feet of gross floor area
10. Laundry, dry-cleaning, or rug cleaning plant
11. Radio or television studio

**SECTION 36-7. Forbidden Uses.** Any use not allowed by Section 36-4 or permitted conditionally by Section 36-6 is forbidden in an LM District. In addition, any use listed in Section 36-4 or 36-6 which does not meet the performance standards in Section 36-8 is forbidden. Notwithstanding any other provision of this article, the following uses are forbidden within an LM District as provided in this section.

1. Batching of concrete, including handling and/or storage of cement, lime, sand, stone, or other aggregates
2. Curing, dyeing, washing, finishing, tanning, or bulk processing of fur, leather, or other animal by-products
3. Disposal, handling, or long-term storage of radioactive, biomaterial, or biohazardous waste, except to remove from the lot waste generated by a lawful use
4. Fossil fuel or nuclear power plant
5. Incineration or reduction of garbage, offal, or dead animals
6. Long-term storage of nonaccessible, previously used items; self-storage not for an allowed use; dead storage, including but not limited to storage of archival records, scrap, or junk
7. Manufacture of asphalt or asphalt products, charcoal, fuel briquettes, or lampblack
8. Manufacture of acetylene, aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black or bone black, cleaning or polishing preparations, creosote, disinfectants, exterminating agents, fungicides, hydrogen or oxygen, industrial alcohol, insecticides, potash, plastic materials or synthetic resins, or hydrochloric, picric, or sulphuric acids or derivatives

9. Manufacturing of chemical warfare compounds

10. Manufacture of:

per day  
tubes,  
or similar products  
Soaps or detergents, including fat rendering

Coal, coke, or tar products, including gas  
Fertilizers  
Gases in amounts exceeding two thousand (2,000) cubic feet  
Gelatin, glue, or size  
Gypsum  
Linoleum or oil cloth  
Matches  
Paint, turpentine, or varnish  
Plastic (raw)  
Rubber (natural or synthetic) including, but not limited to, tires,

11. Office as a principal use, except as provided in Sections 36-4.9 and 36-14
12. Reduction, refining, or smelting of metal or metal ores
13. Refining of petroleum or petroleum products
14. Removal of gravel, loam, sand, or stone, except for reuse on the same lot or incident to the erection of a building on such lot
15. Sewage disposal plant
16. Solvent extracting
17. Storage of gases in amounts exceeding ten thousand (10,000) cubic feet, except as provided in Section 36-4.14.

SECTION 36-8. **Performance Standards for All Uses.** Within an LM District, each use shall comply with the provisions of this section.

1. None of the following effects shall be allowed:
  - a. Any emission beyond the boundaries of the lot that endangers human health or causes damage to vegetation or property
  - b. Any emission of radioactivity or any biohazard that exceeds any applicable local, state, or federal regulation
  - c. Any electrical disturbance which interferes unduly with the normal operation of equipment or instruments or which is

reasonably likely to cause injury to any person located outside the lot

- d. Any surface water or groundwater contamination that exceeds any applicable state or federal regulations
2. Any noise, air pollutant, vibration, dust, odor, change in temperature, or direct or sky-reflected glare detectable by the human senses without the aid of instruments shall not be allowed to emanate more than fifty (50) feet beyond the boundaries of the lot upon which a use is located, or to emanate more than twenty (20) feet beyond the boundaries of the lot upon which a use is located if the lot abuts or is across the street from a residential district.

**SECTION 36-9. Dimensional Requirements.** Within an LM District, the following dimensional requirements shall apply to all buildings, structures, and uses, except as otherwise indicated in this section.

1. Minimum Lot Size: none
2. Minimum Lot Width: none
3. Maximum Floor Area Ratio: LM-1 Subdistrict, 1.0  
LM-2 Subdistrict, 2.0
4. Maximum Height Limit: LM-1 Subdistrict, 35 feet  
LM-2 Subdistrict, 65 feet
5. Minimum Front Yard: 15 feet, or the modal front yard depth as calculated by the method provided in Section 18-2 of this code, whichever is greater
6. Minimum Rear Yard: 20 feet
7. Minimum Side Yard: none, except that any lot with a side lot line abutting a residential (S, R, or H) district shall have a side yard setback equal to that required in such residential (S, R, or H) district
8. Maximum Percentage of Rear Yard which may be Occupied by Accessory Buildings: 25%

**SECTION 36-10. Noninclusion in Gross Floor Area of Certain Light Manufacturing Uses.** To encourage the light manufacturing uses included in Section 36-4.1, floor area (a) located on the ground floor of a structure and (b) occupied by such uses shall not be included in the calculation of the floor area ratio for such structure.



**SECTION 36-11. Off-Street Parking.** Within an LM District, except within a restricted parking district, off-street parking shall be provided as follows:

1. Any use contained in Section 36-4, subsections 1 through 7, shall provide one (1) space per one thousand (1,000) square feet of gross floor area.
2. All other uses shall provide parking as required by the provisions of Article 23. Where a use item listed in this article is not included in any use item number contained in Article 23, off-street parking facilities shall be provided in accordance with the requirements for the use item number listed in Article 23 which is most similar to such use.
3. All parking shall be screened from adjoining residential districts in accordance with the provisions of Section 36-13.

**SECTION 36-12. Off-Street Loading.** Within an LM District, off-street loading facilities shall be provided as required under Article 24. Where a use listed in this article is not included in any use item number contained in Article 24, off-street loading facilities shall be provided in accordance with the requirements for the use item number listed in Article 24 which is most similar to such use. All loading facilities shall be screened from adjoining residential districts and from view of public streets in accordance with the provisions of Section 36-13.

**SECTION 36-13. Screening and Buffering.** Within an LM District, the following screening and buffering requirements shall apply.

1. Where a nonresidential use abuts a residential district, such use shall provide and maintain along the property line(s) abutting such residential district a screen that consists of one of the following combinations of plant materials and fencing:
  - a. a strip at least five (5) feet wide, densely planted with shrubs and trees, and a heavy-duty vinyl-clad chain-link fence at least six (6) feet high, but not more than eight (8) feet height; or
  - b. a strip at least five (5) feet wide, planted with trees, and a stockade or board-type wooden fence, without plywood sheeting, constructed to be at least seventy-five percent (75%) opaque and at least six (6) feet high, but not more than eight (8) feet high.
2. Off-street parking facilities and lots, off-street loading areas, and accessory storage areas shall be screened from view from public rights-of-way other than rear alleys providing access only. Except as

limited by the provision of Section 18-3 of this code concerning corner traffic visibility, such screening shall consist of trees and shrubs densely planted in a strip at least five (5) feet wide on the inside edge of a steel-picket or stockade or board-type wooden fence, provided that such fencing is not more than fifty percent (50%) opaque and is no less than four (4) feet high and no more than six (6) feet high.

3. Shrubs required by this section shall consist of evergreen or a mixture of deciduous and evergreen, medium to heavy size, densely planted to provide a mature appearance within three (3) years. Trees required by this section shall be deciduous, evergreen, or some combination thereof. Deciduous trees shall be minimum three (3)-inch caliper at the time of planting and planted twenty to twenty-five (20-25) feet on center (o.c.). Evergreen trees shall be a minimum of twelve (12) feet high and planted twelve to fifteen (12-15) feet on center (o.c.). Approximately three (3) inches of pine-bark mulch shall be placed within the planting strip at the time of planting and replenished as necessary.
4. Landscaping required by this section shall be maintained in a healthy growing condition, free of refuse and debris. All plant materials and fencing shall be arranged and maintained so as not to obscure the vision of traffic in accordance with Section 18-3. There shall be no parking of vehicles in areas used for screening and buffering.
5. Disposal areas, dumpsters, and ground-mounted mechanical equipment shall be screened from view from public rights-of-way, other than rear alleys providing access only, with an opaque wall or fence; for disposal areas and dumpsters such wall or fence shall be six (6) feet high.
6. Roof-mounted mechanical equipment shall be painted to blend with adjacent or nearby building materials or shall be screened by wood, brick, or similar material.

SECTION 36-14. **Provision of Office Space.** Office use is allowed, either as a main use or as an accessory use, in an amount not to exceed forty percent (40%) of the gross floor area allowed within a lot.

SECTION 36-15. **Signs.** Within an LM District, all signs shall comply with the provisions of Article 11.

SECTION 36-16. **Truck Routes.** All truck transit to and from any lot within an LM District shall be in accordance with regulations of the City of Boston establishing designated truck routes.

**SECTION 36-17. Mapping of LM Districts.** The Boston Redevelopment Authority shall transmit a copy of any proposed map amendment to establish an LM District to area businesses, commercial property owners, and their associations, and to the Neighborhood Council, Planning and Zoning Advisory Committee, or both, or where no Neighborhood Council or Planning and Zoning Advisory Committee exists, another neighborhood-based committee or council designated by the Mayor (a "neighborhood group"). A copy of any such proposed map amendment shall also be sent by mail, postage prepaid, to any person who has filed a written request with the Authority. Said neighborhood group shall, within thirty days after the date of such transmittal, file with the Boston Redevelopment Authority a report with recommendations. The Boston Redevelopment Authority shall not hold a hearing nor make its report and recommendation to the commission on such map amendment until such neighborhood group's report with recommendations has been received and considered; provided that if no such report is received within said thirty days, the Boston Redevelopment Authority shall hold a hearing and make its report and recommendation. The Boston Redevelopment Authority shall not recommend the establishment of any such LM District unless it finds that the amendment (a) will protect significant public investments in the creation or retention of an area for light manufacturing uses; (b) is part of a neighborhood-based planning and rezoning process, conducted pursuant to an established Interim Planning Overlay District; or (c) will protect significant public investments in the creation or retention of specific light manufacturing uses.

**SECTION 36-18. Enforcement.** It shall be unlawful to use or permit the use of any land or structure, or part thereof, hereafter erected or altered, until the Commissioner of the Inspectional Services Department shall have certified on the building permit, or if no building permit is needed, shall have issued a use permit specifying, the use to which the land or the structure may be put. Any permit application for a use which would be subject to the performance standards in Section 36-8 shall include a description of the operations contained in such use, the effects of such use, and any plans or other information necessary for the Commissioner to determine compliance with the performance standards provided in this article.

**SECTION 36-19. Regulations.** The Boston Redevelopment Authority may promulgate regulations to administer this article.

**SECTION 36-20. Severability.** The provisions of this article are severable, and if any such provision or provisions shall be held invalid by any decision of any court of competent jurisdiction, such decision shall not impair or otherwise affect any other provision of this article.